Supreme Court, U. S.
FILED
DEC 16 1977
MICHAEL RODAK, JR., CLERK

In The

Supreme Court of the United States

NO. 72 Original

STATE OF SOUTH DAKOTA,

Plaintiff,

vs.

STATE OF NEBRASKA,

Defendant,

and

ROBERT J. FOLEY AND PHYLLIS K. FOLEY HIS WIFE AS JOINT TENANTS AND THEIR SURVIVOR, and OTTO ISAAK,

Intervenors.

MOTION FOR SUBSTITUTION FOR DECEASED PARTY INTERVENOR

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Attorney for Helen H. Issak, Executrix of the estate of Otto Isaak, deceased

COCKLE PRINTING CO., 1822 St. Mary's Ave., Omaha

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—o—

Helen H. Isaak, as executrix of the estate of Otto Issak, deceased, moves the court for her substitution as an intervenor party in the above entitled action in place of the Intervenor, Otto Isaak, deceased.

The intervenor, Otto Isaak, died in and a resident of Bon Homme County, South Dakota, testate, on September 26, 1977 and Helen H. Isaak was appointed and qualified as executrix of his estate in the Circuit Court of Bon

Homme County, South Dakota, Tyndall, South Dakota, on October 25, 1977, and she is now the duly appointed, qualified and acting executrix of the estate of Otto Isaak deceased. A certified copy of her letters Testamentary has been filed with the Clerk of this ourt.

Dated at Vermillion, South Dakota December 9, 1977.

Respectfully submitted,

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EVERETT A. BOGUE

P. O. Box 435
Vermillion, South Dakota 57069

Attorney for Helen H. Isaak, Executrix of the estate of Otto Isaak, Deceased.